

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

BOOTHBAY YACHT REFINISHING,	)	
INC.,	)	
	)	
Plaintiff,	)	
	)	Docket no. 2:09-cv-143-GZS
v.	)	
	)	
M/V PHOENIX, her engines, tackle, boats,	)	
furniture, equipment, appurtenances, masts,	)	
etc., <i>in rem</i> , et al.,	)	
	)	
	)	
Defendants.	)	

**ORDER ON PLAINTIFF'S MOTION FOR DEFAULT OF THE *IN REM* DEFENDANT, M/V PHOENIX, AND ALL PERSONS CLAIMING INTEREST TO THE M/V PHOENIX**

Before the Court is Plaintiff's Motion for Default of the *In Rem* Defendant, M/V PHOENIX, (Docket # 29). The Court having reviewed the submissions of Boothbay Yacht Refinishing, Inc. now FINDS:

1. Service of process on the M/V PHOENIX was effected on August 14, 2009;
2. Notice of the arrest was published in the Portland Press Herald on September 10, 2009;
3. The owner of the vessel has, and has had for a substantial period of time, actual notice of the arrest; and,
4. No person or party, including the owner, has timely filed a verified statement of right or interest pursuant to Rule C(6) of the Supplemental Rules for Certain Admiralty and Maritime Claims.

Therefore, the Court hereby GRANTS the Motion for Default (Docket # 29) and ORDERS that the Clerk enter default against the *In Rem* Defendant M/V PHOENIX.

Absent the filing of a notice of settlement, Plaintiff shall move for a default judgment against the M/V PHOENIX no later than March 12, 2010.

SO ORDERED.

/s/ George Z. Singal  
U.S. District Judge

Dated this 4th day of February, 2010.